

## REMARKS

Claims 1-5, as amended, are pending in this application. In this Response, Applicants have amended claims 1, 3, 4, and 5 to clarify that one embodiment of the present invention includes a plurality of multiplexing parts, each of which is established corresponding to STS path identifier and each of which is operable to multiplex an Ethernet frame. As no new matter has been added, Applicants respectfully request entry of the amendments at this time.

### THE REJECTIONS UNDER 35 U.S.C. § 103

At pages 2-18 of the Office Action, the Examiner rejected claims 1-5 under 35 U.S.C. § 103(a) as being obvious over U.S. Publication No. 2004/0076168 to Patenaude (“Patenaude”) in view of U.S. Publication No. 2002/0110087 to Zelig *et al.* (“Zelig”), and further in view of U.S. Publication No. 2001/0043603 to Yu (“Yu”). In addition, claim 4 was rejected under 35 U.S.C. § 103(a) as being obvious over Yu in view of U.S. Publication No. 2002/0176450 to Kong *et al.* (“Kong”), and further in view of Patenaude. Finally, claim 5 was rejected under 35 U.S.C. § 103(a) as being obvious over Yu, Zelig, and Patenaude. For at least the reasons set forth below, Applicants submit that the Examiner’s rejections have been overcome.

Patenaude discloses an integrated circuit device for use in connecting synchronous optical networks to packet networks. *See Abstract.* The device contains a SONET/SDH compatible optical carrier framing, cross connect, and packet mapping functionality. *Id.* It supports Ethernet packet network connection and DS1/E1 and DS3/E3 time division multiplexed subscriber circuits. *Id.* Patenaude is completely silent with regard to a plurality of multiplexing parts, each of which is established corresponding to STS path identifier respectively and each of which is operable to multiplex an Ethernet frame.

The Examiner also cited Zelig, which generally relates to a method for establishing a data link service connection for bi-directional service to be provided between first and second nodes through a network. *See Abstract.* Responsive to a request to initiate a service connection, a local index is generated at the first node indicative of the service to be provided. *Id.* A first signalizing message is also sent to the second node containing the index from the first node and service parameters of both of the nodes. *Id.* Zelig also fails to teach a plurality of multiplexing parts, each of which is established corresponding to STS path identifier respectively and each of which is operable to multiplex an Ethernet frame.

In addition, the Examiner cited Yu, which relates to an interfacing apparatus and method for adapting Ethernet directly to a physical channel. *See Abstract*. The channel encapsulates MAC frames into SDH/SONET SPE/VC using LAPS. The LAPS encapsulation consists of a series of sequences, addresses, and control fields. *Id.* Yu also fails to teach a plurality of multiplexing parts, each of which is established corresponding to STS path identifier respectively and each of which is operable to multiplex an Ethernet frame.

Finally, the Examiner cited Kong, which relates to an interface for an optical node with a plurality of input ports and output ports in a SONET/SDH optical network connected to a plurality of virtual channels. *See Abstract*. The interface has a plurality of input ports for taking Ethernet signals as inputs, and a plurality of output ports for selectively outputting Ethernet frames in the Ethernet signals to the virtual channels. *Id.* Kong also fails to teach a plurality of multiplexing parts, each of which is established corresponding to STS path identifier respectively and each of which is operable to multiplex an Ethernet frame.

As shown above, each of the independent claims have been amended to clarify that one aspect of the present invention includes a plurality of multiplexing parts, each of which is established corresponding to STS path identifier respectively. *See, e.g.*, Para. 0116 of the Publication of the present application. In addition, in one aspect each of the multiplexing parts are operable to multiplex an Ethernet Frame. *Id.*

These aspects are neither taught nor suggested, either alone or in combination, by Yu, Kong, Zelig, or Patenaude. In light of the amendments to the claims, and the deficiencies in the references cited by the Examiner, Applicants submit that the Examiner's § 103 rejection has been overcome. Accordingly, Applicants submit that claims 1-5 are in condition for allowance. Reconsideration and allowance of the pending claims is respectfully requested.

### **CONCLUSION**

All claims are believed to be in condition for allowance. If the Examiner believes that the present amendments and remarks still do not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues.

A Petition for Extension of time is submitted herewith extending the time for response three months to and including November 8, 2009. No other fees are believed to be due at this

time. Should any other fees be due, please charge them to Deposit Account No. 50-4545, Order No. 5243-002-US01.

Respectfully submitted,  
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